

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By Chairman Dick Knox, on March 21, 1997, at 3:00 p.m., in Room 437

**ROLL CALL**

**Members Present:**

Rep. Dick Knox, Chairman (R)  
Rep. Bill Tash, Vice Chairman (Majority) (R)  
Rep. Hal Harper, Vice Chairman (Minority) (D)  
Rep. Haley Beaudry (R)  
Rep. Aubyn A. Curtiss (R)  
Rep. Jon Ellingson (D)  
Rep. Doug Mood (R)  
Rep. Karl Ohs (R)  
Rep. Bob Raney  
Rep. Trudi Schmidt (D)  
Rep. Robert R. Story, Jr. (R)  
Rep. Jay Stovall (R)  
Rep. Emily Swanson (D)  
Rep. Lila V. Taylor (R)  
Rep. Cliff Trexler (R)  
Rep. Carley Tuss (D)  
Rep. Douglas T. Wagner (R)

**Members Excused:** Scott Orr

**Members Absent:** none

**Staff Present:** Kathleen Williams, Legislative Services  
Stephanie Braun, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 607 (3/14), SB 273 (3/7) ,  
SB 315 (3/7)  
Executive Action: SB 97 (15-3) DO CONCUR, SB 224  
(12-6) DO CONCUR, SJ 13 TABLED  
(10-8)

**HEARING ON HB 607**

**Opening Statement by Sponsor:** Rep. Larry Grinde, HD 94 submitted  
**Exhibit #1**  
*{Tape: 1; Side: a; Approx. Time Count: 1.3; Comments: Exhibit 1.}*

Proponents' Testimony:

Bud Clinch, Director of Department of Natural Resources

{Tape: 1; Side: a; Approx. Time Count: 5.7; Comments: none.}

Rusty Harper on behalf of Mr. O'Keefe of the State Land Board

{Tape: 1; Side: a; Approx. Time Count: 10.1; Comments: none.}

John Schontz, MT Association of Realtors

{Tape: 1; Side: a; Approx. Time Count: 12.3; Comments: none.}

Quinn Holzer, MT Stockgrower's Association

{Tape: 1; Side: a; Approx. Time Count: 15.0; Comments: none.}

William Spilker, realtor

{Tape: 1; Side: a; Approx. Time Count: 15.6; Comments: none.}

Opponents' Testimony:

Roger Bergmeir, Mont Trust

{Tape: 1; Side: a; Approx. Time Count: 16.9; Comments: none.}

Questions From Committee Members and Responses:

{Tape: 1; Side: a; Approx. Time Count: 18.1; Comments: none.}

{Tape: 1; Side: a; Approx. Time Count: end; Comments: flipped tape at the very end.}

{Tape: 1; Side: b; Approx. Time Count: 0.1; Comments: none.}

{Tape: 1; Side: b; Approx. Time Count: end; Comments: flipped tape at the very end.}

{Tape: 2; Side: a; Approx. Time Count: 0.1; Comments: none.}

Closing by Sponsor: Rep. Larry Grinde closed

{Tape: 2; Side: a; Approx. Time Count: 12.9; Comments: none.}

HEARING ON SB 315

Opening Statement by Sponsor: Sen. Bea McCarthy, SD 29

{Tape: 2; Side: a; Approx. Time Count: 25.1; Comments: none.}

Proponents' Testimony:

Allen Bradshaw, County Attorney for Granite County

{Tape: 2; Side: a; Approx. Time Count: 25.8; Comments: none.}

Opponents' Testimony:

Jan Sensibaugh, Department of Natural Resources and Conservation submitted Exhibit #2

{Tape: 2; Side: a; Approx. Time Count: 28.9; Comments: Exhibit #2.}

Questions From Committee Members and Responses:

{Tape: 2; Side: a; Approx. Time Count: 32.0; Comments: none.}  
{Tape: 2; Side: a; Approx. Time Count: end; Comments: flipped  
tape at the end.}

{Tape: 2; Side: b; Approx. Time Count: 0.1; Comments: none.}

Closing by Sponsor: Sen. Bea McCarthy closed

{Tape: 2; Side: b; Approx. Time Count: 16.0; Comments: none.}

HEARING ON SB 273

Opening Statement by Sponsor: Sen. Linda Nelson, SD 49

{Tape: 2; Side: b; Approx. Time Count: 16.8; Comments: none.}

Proponents' Testimony:

Mike Volesky, Executive Director Conservation Districts

{Tape: 2; Side: b; Approx. Time Count: 19.7; Comments: none.}

Mike Murphy, MWRA

{Tape: 2; Side: b; Approx. Time Count: 20.8; Comments: none.}

John Tubbs, Department of Natural Resources and Conservation

{Tape: 2; Side: b; Approx. Time Count: 21.4; Comments: none.}

Exhibit #3 (written only) Anne Debevoise Ostby, Dagmar, MT self

Exhibit #4 (written only) Tim Holte, self lives in Sheridan  
County

Opponents' Testimony: none

Questions From Committee Members and Responses: none

Closing by Sponsor: Sen. Nelson closed

{Tape: 2; Side: b; Approx. Time Count: 22.9; Comments: none.}

EXECUTIVE ACTION ON SB 97

Motion: Rep. Story DO CONCUR

{Tape: 2; Side: b; Approx. Time Count: 24.0; Comments: none.}

Rep. Tash comments on the Subcommittee and the amendments that  
the Subcommittee adopted.

Amendments: sb009701.akw

Rep. Taylor asked Kathleen (staffer) what the relationship  
between the two amendments (Rep. Tash & Rep. Taylor) was.

{Tape: 3; Side: a; Approx. Time Count: 0.6; Comments: none.}

Rep. Harper commented on his concern with how this bill would  
effect the Tribes.

*{Tape: 3; Side: a; Approx. Time Count: 3.7; Comments: none.}*

Discussion ensues between Rep. Harper, Don MacIntyre (DNRC), Rep. Tash and Susan Cottingham about the Tribes and where they could make objections in this process.

*{Tape: 3; Side: a; Approx. Time Count: 5.0; Comments: none.}*

**MOTION:** Rep. Tash moved the amendments (sb009701.akw)

**Motion/Vote:** Question was called for; (18-0), amendment is adopted

**AMENDMENTS:** Rep. Taylor hands out her amendments; sb009702.akw and moves the amendments

*{Tape: 3; Side: a; Approx. Time Count: 14.5; Comments: none.}*

**Discussion:**

*{Tape: 3; Side: a; Approx. Time Count: 17.7; Comments: none.}*

**MOTION/VOTE:** Question is called for; individual roll call vote; amendment passes 10-8

Rep. Harper is nervous about Rep Taylor's amendment.

*{Tape: 3; Side: b; Approx. Time Count: 1.6; Comments: none.}*

**VOTE:** Question is called for on the Bill with the attached amendments, individual roll call vote; (15-3) DO CONCUR as amended; Reps Raney, Tuss & Schmidt vote no

#### EXECUTIVE ACTION ON SB 224

**Motion:** Rep. Beaudry moves DO CONCUR

**Discussion:** Rep. Harper feels this Bill guts the citing act.

*{Tape: 3; Side: b; Approx. Time Count: 6.6; Comments: none.}*

Rep. Beaudry, this act is called the major facility citing act, he feels the act as it stood was not adequate.

*{Tape: 3; Side: b; Approx. Time Count: 8.9; Comments: none.}*

**Motion/Vote:** Question is called for, individual roll call vote; (12-6), Reps. Harper, Raney, Ellingson, Tuss, Schmidt & Swanson vote no, Bill passes out of Committee

#### EXECUTIVE ACTION ON SJ 13

**Motion:** DO CONCUR

**Discussion:** Rep. Raney doesn't like the tone of this bill. He feels if MT wanted to be a party to the negotiations it should have been part of the lawsuit as an intervener; MT wasn't part of the lawsuit and people who aren't part of lawsuits aren't typically involved in the negotiations only parties involved are.

*{Tape: 3; Side: b; Approx. Time Count: 18.6; Comments: none.}*

Rep. Taylor totally disagrees, she feels the President should never have been involved. She is going to support it feels that the biggest beneficiary would be the Crow tribe and they need economic development.

*{Tape: 3; Side: b; Approx. Time Count: 23.5; Comments: none.}*

Rep. Beaudry feels MT should have been an intervener, its our state and he resents someone from Arkansas coming in and overriding it. He feels its ours/Montana's to do with it what we will even if its the wrong thing to do. And he definitely doesn't care what the big city newspapers think.

*{Tape: 3; Side: b; Approx. Time Count: 25.7; Comments: none.}*

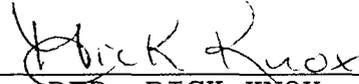
**Motion/Vote:** Question called for, individual roll call vote, (10-8) motion dies, Reps. Harper, Raney, Ellingson, Tuss, Schmidt, Swanson, Story, Wagner, Mood, & Trexler vote no

**Motion/Vote:** Rep. Tash motion to Table SJ 13, Rep. Knox asks that the votes be reversed, SJ 13 is TABLED (10-8)

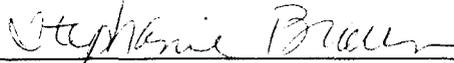
*{Tape: 3; Side: b; Approx. Time Count: 31.9; Comments: none.}*

ADJOURNMENT

Adjournment: 6:20 p.m.



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REP. DICK KNOX, Chairman



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STEPHANIE BRAUN, Secretary

DK/SB